

REMARKS

In order to facilitate examination and allowance of this application, Applicant respectfully requests the Examiner to contact Applicant's representative, Adesh Bhargava, at 202-906-8696, for an interview should the remarks presented below not result in allowance of pending claims 1-3, 5, 11-13 and 20.

Summary of the Office Action

In the Office Action, claims 7, 9-10, 16 and 18-19 have been allowed.

Claim 20 stands rejected under 35 U.S.C. 112, 2nd Paragraph, as being indefinite.

Claims 1-3, 11-13 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,303,532 to *Philips* in view of U.S. Patent No. 5,966,914 to *Reents*.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Philips* in view of U.S. Patent No. 3,923,316 to *Birnbaum*.

Summary of the Response to the Office Action

Applicant proposes amending claim 20 to address the 35 U.S.C. 112, 2nd Paragraph, rejection thereof. Based on the remarks presented below, claims 1-3, 5, 11-13 and 20 are pending for further consideration (claims 7, 9-10, 16 and 18-19 being allowed).

All Claims are Allowable

In the Office Action, claims 1-3, 11-13 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,303,532 to *Philips* in view of U.S. Patent No. 5,966,914 to *Reents*. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Philips* in view of U.S. Patent No. 3,923,316 to *Birnbaum*. Applicant traverses the rejection of pending claims 1-3, 5, 11-13 and 20 for the following reasons.

With regard to independent claim 1, Applicant respectfully maintains that *Phillips*, *Reents*, and *Birnbaum*, viewed either singly or in combination, fail to teach or fairly suggest a trimming system for a user-operated ground vehicle capable of performing mowing and trimming operations, including at least, "a guide wheel mounted to a vehicle frame adjacent said

trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket, said bracket being resiliently biased by a spring mounted between said vehicle frame and said bracket for allowing deflection of said bracket by a predetermined distance under the bias of said spring relative to said trimming unit and the vehicle frame upon contact of said guide wheel with the stationary object,” as recited in independent claim 1.

Support for these features recited in claim 1 can be found at least in paragraphs 10-15 and 26-43 of the originally filed specification, and in Figs. 1-3 of the originally filed drawings. Specifically, as shown in Figs. 1-3, the present invention provides a trimming system 16 for a user-operated ground vehicle 12 capable of performing mowing and trimming operations. The system may include a drive means operatively coupled to a drive system of the vehicle having the trimming system mounted thereon. The system may further include a trimming unit 46 operatively coupled to the drive means for performing edge trimming operations. As clearly illustrated in Fig. 1, a guide wheel 74 may be mounted to a vehicle frame 18 adjacent trimming unit 46 for maintaining at least one trimming wire of the trimming unit at a predetermined distance from a stationary object 76 during performance of edge trimming operations. Guide wheel 74 may be mounted on a resiliently biased bracket 78, which as illustrated in Fig. 1, is biased by torsion spring 90 mounted between the vehicle frame and the bracket for allowing deflection of the bracket by a predetermined distance under bias of the spring relative to the trimming unit and the vehicle frame upon contact of the guide wheel with the stationary object.

With regard to independent claim 1, the Office Action maintains that *Phillips* and *Reents* teach or suggest the trimming system as recited in the claims.

Phillips, as illustrated in Figs. 1, 6 and 13 thereof, discloses a mowing system onto which a trimmer 34 can be mounted as shown in Fig. 1 for performing edge trimming operations. As clearly illustrated in Fig. 13 and discussed in Col. 8:55 – Col. 9:6 of *Phillips*, a trimmer guard including hoop 98 (and entire bracket arrangement of Fig. 13) is provided and mounted for resiliently deflecting along with vehicle frame 52. Further, as clearly illustrated in Fig. 6 and discussed in Col. 4:56 – Col. 5:5 of *Phillips*, a clamp 110 is provided for clamping around shaft 42 of trimmer 34 such that trimmer 34 is firmly retained in position during the trimming

operation, and is further deflected along with hoop 98 (and entire bracket arrangement of Fig. 13) having guide wheels 120 mounted thereon, as shown in Fig. 13.

In distinct contrast to the teachings of *Phillips*, as illustrated in Figs. 1-3 of the present invention and recited in independent claim 1, the present invention trimming system includes a guide wheel 74 mounted to a vehicle frame 18 adjacent trimming unit 46 for maintaining a trimming wire of the trimming unit at a predetermined distance from a stationary object 76 during performance of edge trimming operations. Guide wheel 74 is mounted on a resiliently biased bracket 78, which as illustrated in Fig. 1, is biased by torsion spring 90 mounted between the vehicle frame and the bracket. This mounting arrangement for guide wheel 74 via bracket 78 allows deflection of the bracket by a predetermined distance under bias of the spring relative to the trimming unit and the vehicle frame upon contact of the guide wheel with the stationary object.

Thus whereas the *Phillips* mowing system includes a trimmer guard including hoop 98 (and entire bracket arrangement of Fig. 13) mounted for resiliently deflecting along with trimmer 34 and vehicle frame 52 (see Figs. 1 and 13 of *Phillips*), for the present invention, guide wheel 74 is mounted to vehicle frame 18 and deflects relative to the trimming unit and the frame (see Fig. 1 of the present invention). Thus *Phillips* fails to teach or suggest, “said guide wheel being mounted on a resiliently biased bracket, said bracket being resiliently biased by a spring mounted between said vehicle frame and said bracket for allowing deflection of said bracket by a predetermined distance under the bias of said spring relative to said trimming unit and the vehicle frame upon contact of said guide wheel with the stationary object,” as recited in independent claim 1.

Further, whereas the *Phillips* mowing system includes a trimmer guard including a clamp 110 provided for clamping around shaft 42 of trimmer 34 such that trimmer 34 is firmly retained in position during the trimming operation (see Fig. 6 of *Phillips*), for the present invention, guide wheel 74 is mounted to vehicle frame 18 adjacent trimming unit 46 (see Fig. 1 of the present invention), so that the present invention guide system operates independently from the trimming system. This features allows for “deflection of said bracket by a predetermined distance under the bias of said spring relative to said trimming unit and the vehicle frame upon contact of said guide wheel with the stationary object,” as recited in independent claim 1.

Whereas the outstanding Office Action (see Response to Arguments) indicates that “now the bracket is considered to be entire assembly shown in Fig. 13 and not merely hoop 98,” Applicant respectfully maintains that this reassessment of *Phillips* clearly fails to address the aforementioned distinctions recited in independent claim 1.

Namely, as shown in Fig. 13 of *Phillips*, clamp 110 of the bracket (which is considered to be the entire assembly shown in Fig. 13) clamps around shaft 42 of trimmer 34 such that trimmer 34 moves **along with** the entire bracket assembly. This feature is clearly illustrated in Fig. 13 of *Phillips*.

As clearly discussed above, the present invention is distinctly different than the invention of *Phillips*, in that guide wheel 74 is mounted to vehicle frame 18 by means of bracket 78 and deflects **relative to the trimming unit and the frame** (see Fig. 1 of the present invention).

Applicant therefore respectfully asserts that based on this clear and unequivocal distinction between the teachings of *Phillips* and the recitation in independent claim 1, that claim 1 is clearly patentable over *Phillips*.

In this regard, Applicant further respectfully requests the Examiner to show where in *Phillips* it is taught or suggested that the bracket (now denoted the entire assembly of Fig. 13 of *Phillips*) moves relative to the trimming unit, or to withdraw the outstanding rejection.

With regard to the teachings of *Reents*, which has been cited for disclosing a pulley system for driving a trimmer, Applicant respectfully asserts that *Reents* fails to overcome the aforementioned deficiencies in the teachings of *Phillips*.

Applicant therefore respectfully asserts that *Phillips* and *Reents*, viewed either singly or in combination, fail to teach or fairly suggest a trimming system for a user-operated ground vehicle capable of performing mowing and trimming operations, including at least, “a guide wheel mounted to a vehicle frame adjacent said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket, **said bracket being resiliently biased by a spring mounted between said vehicle frame and said bracket for allowing deflection of said bracket by a predetermined distance under the bias of said spring relative to said trimming unit and the vehicle frame** upon contact of said guide wheel with the stationary object,” as recited in independent claim 1.

As pointed out in M.P.E.P. § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art”. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Since these criteria have not been met, Applicant respectfully asserts that the rejections under 35 U.S.C. § 103 (a) should be withdrawn because *Phillips* and *Reents* do not teach or suggest each feature of independent claim 1.

In view of the above arguments, Applicant respectfully requests the rejection of independent claim 1 under 35 U.S.C. § 103 be withdrawn. Additionally, claims 2, 3, 5 and 20, which depend from independent claim 1, are allowable at least because their base claim is allowable, as well as for the additional features recited therein.

Independent claim 11

With regard to independent claim 11, Applicant respectfully asserts that *Phillips* and *Reents* fail to teach or fairly suggest a vehicle for performing mowing and edge trimming operations, the vehicle including, “a mowing system for performing mowing operations; a trimming system for performing edge trimming operations and being operatively coupled to a drive system of said vehicle for at least one of selectively and simultaneously driving said mowing and trimming systems, and a guide wheel mounted to a vehicle frame adjacent said trimming system for maintaining at least one trimming wire of said trimming system at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket, said bracket being resiliently biased by a spring mounted between said vehicle frame and said bracket for allowing deflection of said bracket by a predetermined distance under the bias of said spring relative to said trimming system and the vehicle frame upon contact of said guide wheel with the stationary object,” as recited in independent claim 11.

Applicant respectfully asserts that independent claim 11 is allowable for at least the reasons presented above for the allowance of independent claim 1, and the additional features recited therein. In the interest of avoiding redundant arguments, the reasons for allowance of independent claim 11 are not repeated herein. Additionally, claim 12 which depends from independent claim 11, is allowable at least because its base claim is allowable, as well as for the additional features recited therein.

Independent claim 13

With regard to independent claim 13, Applicant respectfully asserts that *Phillips* and *Reents* fail to teach or fairly suggest a mowing and trimming system including, “a drive unit including at least one drive and driven pulley, said drive pulley being operatively coupled to said driven pulley to at least one of selectively and simultaneously drive a mowing unit for performing mowing operations and a trimming unit for performing edge trimming operations, and a guide wheel mounted to a vehicle frame, having said mowing and trimming system mounted thereon, adjacent said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket, said bracket being resiliently biased by a spring mounted between said vehicle frame and said bracket for allowing deflection of said bracket by a predetermined distance under the bias of said spring relative to said trimming unit and the vehicle frame upon contact of said guide wheel with the stationary object,” as recited in independent claim 13.

Applicant respectfully asserts that independent claim 13 is allowable for at least the reasons presented above for the allowance of independent claim 1, and the additional features recited therein. In the interest of avoiding redundant arguments, the reasons for allowance of independent claim 13 are not repeated herein.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

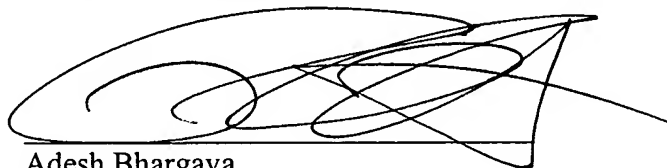
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 04-2223. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

DYKEMA GOSSETT PLLC

Dated: December 5, 2006

By:

A handwritten signature in black ink, appearing to be 'Adesh Bhargava', written over a horizontal line.

Adesh Bhargava

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